

**II. DRAWING AMENDMENTS**

Enclosed is a Replacement Sheet of the drawing showing Fig. 1A with the legend "Prior Art".

V. REMARKS

In the Office Action, correction was required in the drawing to provide Fig. 1A with the legend "Prior Art". A corrected drawing sheet is provided herewith to meet this requirement of the Examiner.

With respect to the specification, correction was required of the Abstract to delete "(Figure 3)", and to correct a typographical error on Page 1 of the specification. The requisite corrections to the specification are made in this response.

Objections were raised with respect to Claim 1 at Point 4 of the Office Action. Claim 1 has been amended, as is described in further detail below, to overcome the grounds of objection.

Claims 1-2, 4-9, 10-11, and 13-18 were rejected under 35 U.S.C. 102 as being anticipated by King (US 6,313,787) for reasons set forth in the Office Action.

The Summary of the Office Action stated that Claims 3 and 12 were objected to, but the Action failed to discuss the objection. Claims 3 and 12 were not rejected on prior art. Accordingly, it is presumed that the Claims 3 and 12 contain allowable subject matter.

With respect to the objections raised against claim 1, the suggested insertions of the examiner are not employed because then claim 1 would imply that the second party is located in the network part of the radio system. However, in the practice of the invention, the second party may also be located in the user equipment side of the data transmission link. Accordingly, claim 1 is amended by inserting "or a first party" after "user

equipment" as suggested by the examiner, but the words "or a second party" are inserted after a further location in the text, wherein the amended text reads "a serving mobile location center of a radio network or a second party".

With respect to the rejections under 35 U.S.C. 102, the following argument is presented to overcome these rejections, and to show that the independent claims 1 and 10 already contain limitations which distinguish over the teachings of King so as to provide allowable subject matter in the claims 1 and 10, as well as in their dependent claims.

King describes only a conventional GSM cellular system (col. 8 at lines 28-30). The GSM protocol stack of King's Fig. 4 (mentioned by the examiner) is unable to operate in a packet switched radio system. In contrast the protocol stack of the present invention is able to operate in a packet switched radio system.

The King protocol stack may be regarded as a starting point for the present invention. The present specification (page 12 at paragraph [0049]) explains what modifications are made to a kind of protocol stack, such as the protocol stack described in King, in order to obtain a protocol stack that is able to operate in a packet switched radio system. In the practice of the present invention, a modified third-layer radio resource protocol RRLP-PS is set on top of the packet control stack of the mobile station, and a modified logical link protocol LLC-LE is set on the second layer. The abbreviation "PS" refers to packet switching, and the abbreviation "LE" refers to a location extension required by the location service to the protocol.

It is urged that the foregoing teaching of the present specification distinguishes over the teaching of King and, furthermore, the language of both independent claims 1 and 10 encompasses the foregoing inventive features so as to distinguish over the teachings of King.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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